

REMARKS

The Examiner rejected claims 1-7 under 35 U.S.C. §103(a) as allegedly being unpatentable over Beaumont et al., US Patent No. 6,654,953 (hereinafter Beaumont) in view of Horiguchi et al., US Patent No. 5,666,533 (hereinafter Horiguchi) further in view of Shaughnessy, US Patent No. 6,026,235 further in view of Sreedhar et al., US Patent No. 6,182,284 (hereinafter Sreedhar).

Applicant respectfully traverses the §103 rejections with the following arguments.

35 U.S.C. §103

The Examiner rejected claims 1-7 under 35 U.S.C. §103(a) as allegedly being unpatentable over Beaumont et al., US Patent No. 6,654,953 (hereinafter Beaumont) in view of Horiguchi et al., US Patent No. 5,666,533 (hereinafter Horiguchi) further in view of Shaughnessy, US Patent No. 6,026,235 further in view of Sreedhar et al., US Patent No. 6,182,284 (hereinafter Sreedhar).

Claim 1

Applicant respectfully contends that claim 1 is not unpatentable under 35 U.S.C. §103(a) over Beaumont in view of Horiguchi, further in view of Shaughnessy and further in view of Sreedhar, because Beaumont in view of Horiguchi, further in view of Shaughnessy and further in view of Sreedhar does not teach or suggest each and every feature of claim 1, as explained in the following examples.

As a first example relating to step (a) of claim 1, Applicant respectfully contends that Beaumont in view of Horiguchi, further in view of Shaughnessy and further in view of Sreedhar does not teach or suggest “(a) forming, for each block of assignment statements, a corresponding array, each array comprising a plurality of elements corresponding to respective ones of the statements and populating the elements with attributes of the statements including the expression at the righthand side of the statement”.

The Examiner incorrectly alleges that blocks 415, 220, and 550 in Beaumont are blocks of assignment statements. Block 415 is a symbol table that “lists all the symbol names used in the program, and their characteristics (see Beaumont, col. 6, lines 32-33) and is therefore not a block of assignment statements. Block 220 is a source code segment ... employing attributes” (see Beaumont, col. 5, lines 3-4) and is therefore not a block of assignment statements. Block 550 is compiler code to “convert or translate the statements of source program 220 in compiler 410” (see Beaumont, col. 8, lines 31-32) and is therefore not a block of assignment statements.

In addition, Beaumont does not disclose forming a corresponding array for each block of assignment statement (subject to the additional limitations of step (a)) and the Examiner has not provided any credible evidence to the contrary.

As a second example relating to step (b) of claim 1, Applicant respectfully contends that Beaumont in view of Horiguchi, further in view of Shaughnessy and further in view of Sreedhar does not teach or suggest "(b) processing, in each array, each assignment statement in turn, in the order from the last statement to the first, the processing comprising the inspection of each unprocessed assignment statement in turn, in the order from the last unprocessed assignment statement to the first, to determine if the variable appearing on the lefthand side of the unprocessed assignment statement appears on the righthand side of the assignment statement being processed".

The Examiner alleges that block 551 of Beaumont is an array (as defined in step (a)) of step (b). However, block 551 is not an array, but rather comprises code that "detects each syntactic element of the source program" (see Beaumont, col. 8, lines 32-33) and therefore does not satisfy the requirements for an array specified in step (a). In addition, the Examiner has not provided any credible evidence that Beaumont teaches or suggests "to determine if the variable appearing on the lefthand side of the unprocessed assignment statement appears on the righthand side of the assignment statement being processed" in step (b).

As a third example relating to step (c) of claim 1, Applicant respectfully contends that Beaumont in view of Horiguchi, further in view of Shaughnessy and further in view of Sreedhar does not teach or suggest "(c) during step (b), in each array, if the variable appearing on the lefthand side of the unprocessed assignment statement also appears on the righthand side of the assignment statement being processed, replacing all occurrences of such variable on the righthand side of the assignment statement being processed, nonrecursively, by the righthand side of the said unprocessed assignment statement".

The Examiner argues: "(E.g. see Beaumont art FIG. 5 block 561 and associated text)". In response, Applicant respectfully contends that block 551 in Beaumont has no relevance to step (c). See Beaumont, col. 8, lines 63-65 ("Block 561 receives the attribute data from block 559, and parses any parameters or other data that affect the operation of the provider").

As a fourth example relating to step (d) of claim 1, Applicant respectfully contends that Beaumont in view of Horiguchi, further in view of Shaughnessy and further in view of Sreedhar does not teach or suggest "(d) forming, from each array, a corresponding new block of assignment statements comprising the statements processed according to steps (b) and (c) less any statements which, after processing, is either an identity (the left and right sides of the statement are identical) or whose lefthand side variable is not one of the output variables".

The Examiner argues: "(E.g., see Beaumont art FIG. 5 block 580 and associated text)". In response, Applicant contends that block 580 in Beaumont has no relevance to step (d). See Beaumont, col. 9, lines 43-46 ("Blocks 580 complete the transformation of the tokenized intermediate form in blocks 412 and 413, FIG. 4, into object-code program 420").

Based on the preceding arguments, Applicant respectfully maintains that claim 1 is not unpatentable over Beaumont in view of Horiguchi, further in view of Shaughnessy and further in view of Sreedhar, and that claim 1 is in condition for allowance. Since claims 2-5 depend from claim 1, Applicant contends that claims 2-5 are likewise in condition for allowance.

Claim 6

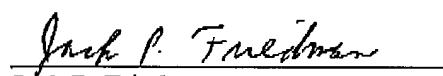
The Examiner states: "As Per Claim 6, is the apparatus claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1." In response, Applicant relies on Applicant's arguments *supra* relating to claim 1 as being likewise applicable to claim 6.

Claim 7

The Examiner states: "As Per Claim 7, is the computer program product claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1." In response, Applicant relies on Applicant's arguments *supra* relating to claim 1 as being likewise applicable to claim 7.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below.

Date: 07/20/2004

Jack P. Friedman
Registration No. 44,688

Schmeiser, Olsen & Watts
3 Lear Jet Lane, Suite 201
Latham, New York 12110
(518) 220-1850

09/839,071

11